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19. Excerpts from GPSC March 1, 2004 Hearing Transcript, Docket No. 17749-U

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27. NCUC Public Staff Comments on Line Sharing, Docket No. P-775, Sub 8, September 10, 2004.

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30. AT&T's Respone to BellSouth's 7th Set of Interrogatories, Item No. 272, FPSC Docket No. 030851-TP.

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TAB 1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising From Federal Communications Commission Triennial UNE review: Location Specific-Review For DS1, DS3, and Dark Fiber Loops and Route-Specific Review for DS1, DS3, and Dark Fiber Transport	)))))))	Docket No. 030852-TP Filed January 21, 2004

REBUTTAL TESTIMONY AND EXHIBITS OF

GARY J. BALL

ON BEHALF OF THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION

Regarding Dedicated Transport and High Capacity Loops

PUBLIC VERSION

Gray, and hypothetical expense information based upon a proprietary BellSouth marketing model called the BellSouth Analysis of Competitive Entry ("BACE").

Q. IS THE COST INFORMATION PROVIDED BY BELLSOUTH WITNESS GRAY MEANINGFUL IN THE CONTEXT OF THE FCC'S POTENTIAL DEPLOYMENT REQUIREMENTS?

A. No. Mr. Gray provided cost information that was used in developing TELRIC rates in Florida. It is important to remember that, unlike typical costing proceedings used to establish UNE rates, the potential deployment analysis requires an evaluation of costs specific to CLECs, who do not have BellSouth's scale, access to buildings, and access to rights-of-way.

Q. WHAT ARE THE KEY ELEMENTS OF THE NETWORK COST INFORMATION AS PRESENTED BY BELLSOUTH WITNESS GRAY?

A. Mr. Gray provides hypothetical network cost information for the optical electronics used to derive a DS3 loop, and a hypothetical per-foot cost estimate of fiber extension.

Q. PLEASE EXPLAIN WHY YOU DO NOT BELIEVE IT IS REASONABLE TO DETERMINE POTENTIAL DEPLOYMENT BASED UPON A HYPOTHETICAL COST FACTOR BASED UPON DISTANCE BETWEEN CLEC FACILITIES AND SPECIFIC BUILDINGS.

Public Version

BEFORE THE

GEORGIA PUBLIC SERVICE COMMISSION

DIRECT TESTIMONY OF

BRIAN F. PITKIN

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC

Docket No. 14361-U

July 26, 2004

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to address the limited issues that the Commission is revisiting to comply with the District Court. Specifically, the Commission's Procedural and Scheduling Order in this Docket states:

> The Commission finds it prudent and administratively efficient to hold a brief evidentiary hearing with a scope limited to cost of capital and costs associated with growth at new locations.[1]

As such, I understand that the level of growth to existing locations is not being considered. I further understand that Staff has put forth the level of growth that is to be assumed as the level of growth for existing locations, as adopted by the Commission's on July 19, 2004 and adjusted to remove 271 line counts in the year 2001.[2]

As a result, the starting point for this proceeding is reflected in the file provided by Staff entitled "Growth Adjustment_Remand_NoUNE_Bkup2.xls," which I have included as Exhibit BFP-B. This starting point establishes an annual 1.17% reduction in switched lines and an annual growth in special lines of 49.07%. Staff applies these percentages, separately for switched and non-switched lines to establish a total growth rate from 2001 to the average forecasted lines of 2003 and 2004. Carried through Staff's analysis, this results in an overall reduction in UNE rates of 6.25%.

---

[1] Docket No. 14361-U, In Re: Review of Cost Studies, Methodologies, Pricing Policies, and Cost Based Rates for Interconnection and Unbundling of BellSouth Telecommunications, Inc.'s Services, Procedural and Scheduling Order, July 1, 2004 page 2. The line counts removed in 2001 relate to the UNE lines initially incorporated by Staff.

[2] It should be noted that I believe it is inappropriate to remove the 271 line counts from the 2001 data when performing the growth calculations. However, I understand that this issue is not the subject of this proceeding.

BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In re:	)	
	)	
Universal Access Fund and the	)	**Docket No. 5825-U**
Transition to Phase II Pursuant to	)	
O.C.G.A § 46-5-167	)	

DIRECT TESTIMONY
OF
JOSEPH GILLAN

continued to be priced above cost, switched access service as well -- are practically available only to a customer's local telephone company. As a result, the revenue potential of a customer is not determined *solely* by the revenue received for basic local exchange service, it is also a function of the other services that the customer purchases.

The fundamental calculus determining a customer's profitability is the total economic cost of the facilities that serve it, and the total revenue from the family of services that it purchases. This calculus applies equally to the incumbent and new entrant. The financial attractiveness of a customer is decided by the totality of the services it purchases, compared to the total cost incurred. It is impossible to predict with precision how carriers will price *individual* components of their service package, given that it is the *total* package that is important to both the carrier's cost structure and the customer's demand pattern.

Q. Do you have evidence to show just how frequently customers purchase additional features and services?

A. Yes. BellSouth recently released its second quarter 2000 earnings. These record earnings are partially the result of continued strong growth in packages, features

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TAB 2

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 030851-TP

In the Matter of:

IMPLEMENTATION OF REQUIREMENTS ARISING FROM FEDERAL COMMUNICATIONS COMMISSION'S TRIENNIAL UNE REVIEW: LOCAL CIRCUIT SWITCHING FOR MASS MARKET CUSTOMERS.

___ /

ELECTRONIC VERSIONS OF THIS TRANSCRIPT ARE A CONVENIENCE COPY ONLY AND ARE NOT THE OFFICIAL TRANSCRIPT OF THE HEARING, THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

TELEPHONIC DEPOSITION OF:	STEVEN E. TURNER
TAKEN AT THE INSTANCE OF:	The Staff of the Florida Public Service Commission
PLACE:	Gerald L. Gunter Building Room 362 2540 Shumard Oak Boulevard Tallahassee, Florida
TIME:	Commenced at 1:05 p.m. Concluded at 2:15 p.m.
DATE:	Wednesday, February 11, 2004
REPORTED BY:	TRICIA DeMARTE, RPR Official FPSC Reporter (850) 413-6736

that right?

A I would say that that is correct, but just did not want it to be interpreted that my testimony does not also address those architectural questions as well.

Q You did not perform any analysis of revenues, did you?

A No, I did not.

Q You did not evaluate whether a CLEC can generate enough profit to cover the costs as you have identified them, have you?

A No, I did not address that. I believe that's more an area that Mr. Wood would have addressed in his testimony.

Q Turning to your direct testimony at Page 5 at Line 2, you use the phrase "practically insurmountable cost disadvantages." What exactly do you mean by that?

A What I mean effectively there is that in practice, given the cost disadvantages that a CLEC would face in Florida, that they are insurmountable. So, I mean, it's a practical reality. If you're facing impairment in the range of $11.86 up to $19.74 per line, per month, that that practically is going to preclude a CLEC from being able to offer local service economically in the state of Florida.

Q Is it your testimony that a CLEC cannot overcome the cost disadvantages as you have identified them?

A Again, I did not do a revenue analysis here, but

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TAB 3

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION

In Re:	)	
FCC's Triennial Order Regarding the	)	**Docket No. 17749-U**
Impairment of Local Switching for Mass	)	
Market Customers	)	

POST-HEARING DIRECT BRIEF OF MCI

MCImetro Access Transmission Services, LLC and MCI WORLDCOM Communications, Inc. (collectively "MCI") hereby file their Post-Hearing Direct Brief in this docket.

INTRODUCTION

The question to be addressed in this case is whether competitive local exchange carriers ("CLECs") are impaired without access to unbundled local switching when they endeavor to serve mass market customers. The answer is plainly "yes." There is no wholesale alternative to BellSouth's unbundled local switching in Georgia, and only miniscule self-provisioning of CLEC switching for mass market customers. The reasons are not difficult to ascertain: most fundamentally, CLECs face a tremendous disadvantage because virtually every home and business in BellSouth's service territory is connected to one of its switches, whereas CLECs wishing to provide mass market service using their switches must pay BellSouth for the use of its network and then incur the additional costs (which BellSouth largely avoids) of collocating in BellSouth's end offices, equipping collocation spaces in those end offices, hauling traffic to their own switches, and installing and maintaining those switches. And CLECs only have available to them BellSouth's manual ordering and provisioning systems, which require technicians to lift

nonrecurring (i.e., during installation) quality of service. MCI Exh. 9-10, Webber Direct, pp. 46-49. Each one of these operational impediments creates a cost to the potential CLEC's business plan that would have to be included in the form of either lower CLEC retail rates or increased CLEC acquisition costs. MCI Exh. 26, Bryant Rebuttal, pp. 4-5. BellSouth fails to recognize any of these operational impairment costs in the calculation of potential CLEC entry, which systematically overstates potential CLEC profitability in all markets.

4. Conclusion

BellSouth fails to prove there is no economic impairment. As demonstrated by Dr. Bryant, attempting to prove profitability through a business case analysis is an inherently uncertain enterprise, and Georgia data show that for many Georgia wire centers profitability is doubtful at best. BellSouth's BACE model seeks to dismiss such realistic assessments by making overly optimistic assumptions about the revenues and costs that CLECs will generate, as well as by making a number of serious errors that badly skew the outputs of the model. In the final analysis, the evidence on economic impairment confirms that the lack of actual deployment in Georgia is not a fluke, but rather results from economic conditions that do not support facilities-based, mass market competition.

B. BellSouth Fails to Prove There Is No Operational Impairment.

In the triennial review proceedings before the FCC, BellSouth and other ILECs presented evidence in which they purported to show that their loop provisioning processes could support mass market competition without CLEC access to unbundled switching. BellSouth failed to persuade the FCC. In the *Triennial Review Order*, the FCC stated that its "national finding of impairment is based on the combined effect of all aspects of the hot cut process on competitors' ability to serve mass market customers." *TRO* ¶ 473. The FCC concluded that "[t]he record

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TAB 4

Sprint

William R. Atkinson
Attorney, State Regulatory

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GAATLD0602
Atlanta, GA 30339
Voice (404) 649-4882
Fax (404) 649-1652
bill.atkinson@mail.sprint.com

April 6, 2004

VIA HAND DELIVERY

Mr. Reece McAlister
Executive Secretary
Georgia Public Service Commission
244 Washington Street
Atlanta, Georgia 30334-5701

RE: Docket No. 17749-U – FCC'S Triennial Review Order Regarding the Impairment of Local Switching for Mass Market Customers

Dear Mr. McAlister:

Enclosed please find for filing an original on a CD ROM, a hard copy original, and fifteen (15) copies of the Brief of Sprint Communications Company L.P. in the above-styled docket. Thank you for your assistance, and please call me if you should have any questions regarding this matter.

Sincerely,

William R. Atkinson

William R. Atkinson

WRA/hvp

Enclosures

cc: Parties of Record

Commission Docket No. 030851-TP, Transcript of Deposition of James Stegeman (February 16, 2004), at 177-80.

CONCLUSION

One of the underlying themes present intermittently in BellSouth's prefiled testimony and during the hearings in this docket was BellSouth's strong suggestion, though never directly stated, that the apparent weaknesses in BellSouth's case for non-impairment are not attributable to any failure on the part of BellSouth to adhere to the requirements of the TRO, but rather to actions or inaction on the part of CLECs. For example, according to BellSouth's witness Stegeman, the anomalous outputs that the BACE model produces are not due to inherent problems in the model or with the inputs, but rather can be traced to CLECs' "misinterpretation of BACE reports", or the CLECs' utilization of "anomalous user inputs". Tr., 78 (Stegeman); Tr., 533 (Farrar). And BellSouth suggests that it's not that the BACE model is a "black box", but rather that Sprint's expectations regarding access to data are unrealistic and unreasonable, and that "seasoned modelers" didn't need what Sprint was asking for. Tr., 160; Tr., 78 (Stegeman). BellSouth's witness, Pam Tipton, suggested that the reason BellSouth did not have more data regarding potential trigger candidates is because some CLECs did not respond or objected to BellSouth data requests on the grounds that BellSouth had the requested information in its possession, and that if BellSouth had "cooperation from a greater number of CLECs in providing data", the evidence would show that CLECs are serving more customers in more Georgia markets. Tipton Direct Testimony, at 9, 17.

In light of all the allegations made by BellSouth during the hearings that CLECs somehow are to blame for problems with BellSouth's case, it may be BellSouth's hope that the Commission will lose sight of the fact that it is BellSouth that has the burden of proof in presenting sufficient evidence to rebut the FCC's presumption that CLECs are impaired without access to unbundled local switching. BellSouth simply has not met its burden of proof, and no amount of finger-pointing and denial on the part of BellSouth should dissuade the Commission from reaching this conclusion.

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TAB 5

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REVIEW OF FEDERAL COMMUNICATIONS COMMISSION'S TRIENNIAL REVIEW ORDER REGARDING LOCAL CIRCUIT SWITCHING FOR DS1 ENTERPRISE CUSTOMERS	))))	CASE NO. 2003-00347

O R D E R

On September 17, 2003, the Commission established this proceeding for two purposes: [1] to provide an opportunity for competitive local exchange carriers ("CLECs") within Kentucky to challenge the finding of the Federal Communications Commission ("FCC") that CLECs are not impaired without access to local circuit switching to serve end users using DS1 capacity and above loops; and [2] to determine whether the Commission should petition the FCC for a waiver of the "no impairment finding" for enterprise customers.[1] On October 2, 2003, SouthEast Telephone, Inc. ("SouthEast") filed a petition requesting that the Commission seek such a waiver from the FCC.

SouthEast, BellSouth Telecommunications, Inc. ("BellSouth"), Kentucky ALLTEL, Inc., Cincinnati Bell Telephone Company, and Competitive Carriers of the South, Inc. notified the Commission of their intent to participate as parties to this proceeding. Data

[1] Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Report and Order and Order on Remand, CC Docket No. 01-338, Rel. August 21, 2003 ("Triennial Review Order") at ¶¶ 451, 455.

requests were issued and information exchanged. A hearing was held November 25, 2003. The parties present at the hearing indicated to the Commission that they had no cross-examination of SouthEast's witnesses. The case was then submitted for decision.

SouthEast is a CLEC based in Pikeville, Kentucky offering service to 35 eastern and central Kentucky counties. It has approximately 4,500 local service subscribers, 13,000 Internet customers, and 110 DSL customers.[2] In addition, SouthEast serves five high-capacity retail end users utilizing DS1 technology through UNE-P provided by BellSouth.[3] These customers, located in the Pikeville wire center, generated annual revenue of $190,669.70 for year-to-date 2003.[4] SouthEast contends it would be unable to provide cost-effective competitive services or pricing without UNE-P provisioning of DS1 circuits.[5] SouthEast alleges it will face an economic barrier to entry: self-provisioning expensive switching equipment.

The FCC determined that states are better positioned to gather and assess information necessary to implement the statutory goals for certain network elements.[6] Further, the FCC found that a granular analysis could illustrate whether a geographic market shows actual marketplace penetration and whether multiple wholesale providers

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[2] SouthEast (Maynard) prefiled testimony at 2.

[3] SouthEast October 2, 2003 Petition; SouthEast Response to Staff Data Request.

[4] SouthEast Response to Staff Data Request.

[5] Id.

[6] Triennial Review Order at 7.

were available to furnish facilities to CLECs in crafting possible competitive retail services.[7] According to the FCC, the burden of proof is on the petitioning CLEC.[8] After reviewing the state-specific granular information, the State Commission is to make a determination. If it makes "an affirmative finding of impairment," then the state is to petition the FCC on behalf of the CLEC.[9]

According to the FCC, impairment may be found "when lack of access to an incumbent LEC network element poses a barrier or barriers to entry, including operational and economic barriers, that are likely to make entry into a market uneconomic."[10] Granular analysis of impairment "is informed by consideration of the relevant barriers to entry, as well as a careful examination of the evidence, especially marketplace evidence showing whether entry has already occurred in particular geographic and customer markets without reliance on the incumbent LECs' networks but instead through self-provisioning or reliance on third-party sources."[11]

Not only must evidence on each of these items regarding impairment be presented by the petitioning CLEC, but the CLEC must provide evidence of operational and economic barriers in the details specified by the FCC. States may also define the relevant markets.[12] States are to look at specific operational criteria including "whether

---

[7] Id. at ¶ 165.

[8] Id. at ¶¶ 451 and 455.

[9] 47 C.F.R. § 51.319 (d)(3)(i).

[10] Triennial Review Order at ¶ 84.

[11] Id.

[12] Id. at ¶ 455.

incumbent LEC performance in provisioning loops, difficulties in obtaining collocation space due to lack of space or delays in provisioning by the incumbent LEC, or difficulties in obtaining cross-connects in an incumbent's wire center, are making entry uneconomic for competitive LECs."[13] The FCC found that it lacked "sufficient specific evidence" concerning these operational criteria and therefore asked state commissions to consider such evidence.[14]

Moreover, state commissions are to review specific economic criteria. In order to rebut the FCC's finding that competitive LECs are not impaired, states "must find that entry into a particular market is uneconomic in the absence of unbundled local circuit switching." Costs must be sufficient to prevent economic entry and not merely those that would be the kinds of costs any new entrant would bear.[15] States "must weigh competitive LECs' potential revenues from serving enterprise customers in a particular geographic market against the cost of entry into that market."[16] States must consider all likely revenues from the enterprise market and prices that entrants are likely to charge.[17] Thus, in determining the cost of entry into a particular geographic market, this Commission must have before it evidence to consider the costs imposed by both operational and economic barriers to entry.[18]

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[13] Id. at ¶ 456.

[14] Id.

[15] Id. at ¶ 454, fn 1392.

[16] Id. at 457.

[17] Id.

[18] Id.

Though the FCC specified detailed evidence which must be presented to the Commission to overcome the national presumption against impairment, SouthEast merely offered generalized testimony. A market designation of "Pikeville" was assumed but no rationale or evidence of its appropriateness was offered.[19] SouthEast asserts that "the limited timeframe" of this proceeding and the "limited budget of CLECs such as SouthEast" make market-based cost studies too expensive to undertake.[20] Moreover, SouthEast merely asserts that loop costs and transport costs also form operational barriers but offer no specific evidence.[21]

SouthEast provided only general information regarding economic hardships by stating that rural markets such as Pikeville have too few DS1 customers to warrant provisioning of a CLEC switch.[22] SouthEast says that, with a total of approximately 81 DS1 enterprise customers in Pikeville and assuming a 10 percent market share – eight customers – an economically viable scale of operations could not be achieved.[23] These assertions with lack of supporting data and detailed analyses provide vastly insufficient evidence when compared to that required by the FCC's order.

SouthEast has failed to provide specific evidence on those items required by the FCC for the state granular analysis. Accordingly, it has not borne the burden necessary

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[19] SouthEast (Maynard) prefiled testimony at 3.

[20] Id.

[21] Id. at 3 and 4.

[22] SouthEast (Roesel) prefiled testimony at 4.

[23] Id.

to overcome CLECs wishing to obtain unbundled local switching for service DS1 and above enterprise customers.

The Commission finds the record in this case insufficient to justify filing a petition with the FCC to obtain a waiver. The record is devoid of the required economic and operational analyses necessary to illustrate that a CLEC is impaired without access to local circuit switching to serve end users using DS1 capacity and above loops in a particular geographic market.

IT IS THEREFORE ORDERED that SouthEast's petition for a waiver is denied.

Done at Frankfort, Kentucky, this 23rd day of December, 2003.

By the Commission

ATTEST:

Deputy Executive Director

Case No. 2003-00347

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TAB 6

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers.
_____/

DOCKET NO. 030851-TP

COPY

TELEPHONIC DEPOSITION OF:	JAY M. BRADBURY
TAKEN AT THE INSTANCE OF:	The Florida Public Service Commission
DATE:	February 18, 2004
TIME:	Commenced at 9:35 a.m. Concluded at 12:20 p.m.
LOCATION:	2540 Shumard Oak Boulevard Tallahassee, Florida
REPORTED BY:	ANITA M. PEKEROL, CRR, CP, CM. Notary Public in and for the State of Florida at Large.

ACCURATE STENOTYPE REPORTERS, INC.
2894-A Remington Green Lane
Tallahassee, Florida 32308
(850) 878-2221

for UNE-L in the State of Florida?

In other words, I understand you currently do not provide UNE-L using your switches, but could you provide UNE-L using these switches?

A. I understand your question. There's no technological reason that prevents the use of these six switches as a UNE-L platform in the State of Florida.

Q. So would you be more concerned with the economic feasibility of doing so?

A. That is the rationale behind why AT&T does not do that today. We determined from our past experience that it's not economically rational to try to serve small businesses and residential customers using UNE-L from our switches. There were both economic considerations and operational considerations that led to that decision.

Q. And when you said you previously used UNE-L in the past to serve business customers, for what length of time did you do that, sir?

A. Again, it was during calendar years 1999 to 2000 and 2001.

Q. Okay.

A. For small business customers.

Q. Does AT&T have an enterprise switch or

only enterprise customers and cannot serve mass market customers. And the product line there is known as the ADL product line, and I discussed this in my testimony. The switches involved are switches in our toll network, and they cannot be modified to provide mass market voice service.

The second class are switches like the six local switches that I discussed in my rebuttal testimony, which are class 5 local switches. And those switches are capable of serving both enterprise and mass market customers.

Q. And the latter one that you defined, what is required for that switch to serve the mass market?

A. At the switch itself?

Q. Yes.

A. Nothing. The technology in the switches themselves will serve both enterprise, DS1 loops and mass market loops, if you can jump over the hurdle of getting the mass market loop backhauled from the ILEC wire center that originates to you. That's the impairment problem, is arranging the ability to efficiently and effectively utilize the customer's DS loop that terminates at the ILEC wire center.

Q. Mr. Bradbury, you just referred to your

rebuttal testimony, do you still have that in front of you?

A. Yes, sir.

Q. Could you turn to page 7, please.

A. Yes.

Q. In the chart shown there, could you please describe what is being described in the column shown as percent enterprise?

A. Okay. That's a mathematical calculation of the number of voice carry equivalents on the switch that are associated with DS1 loops or higher. The two columns there that I show are voice grade lines, the number of DS0 lines, that's, those are the type of loop that is associated with a mass market customers. All of the other terminations on the switch are associated with enterprise type customers.

Q. Okay. And could you also please now turn to page 3 of your rebuttal testimony, sir?

A. Yes, sir.

Q. What percent of the two switches indicated as Comcast serve the enterprise market?

A. I'm going to have to tell you that I can't answer that question, because that information would be -- if there is any there, that would be

Q. Now, in option 2 that Mr. Talbot is describing, he's referring to the plan of one or both of those cable companies, correct?

A. It would appear so, yes.

Q. Now more recently AT&T spun off its cable properties to its shareholders and those assets were merged with Comcast, correct?

A. Correct.

Q. And Comcast is in Florida today providing local telepathy using those cable facilities, correct?

A. Correct.

Q. And I believe Staff actually asked you this earlier, and I apologize for repeating, but BellSouth has pointed to Comcast as an intermodal provider that meets the actual competition trigger defined by the FCC in the TRO, correct?

A. Correct, BellSouth has done that.

Q. BellSouth has also identified AT&T as a company that meets the actual competition trigger in Florida, correct?

A. That's correct.

Q. And you take issue with that?

A. Correct.

Q. But you do acknowledge that AT&T serves

mass market customers -- I will start again.

MR. ELLENBERG: Somebody is dialing in and hanging up.

MR. SUSAC: The party that just dialed in, can you please identify yourself?

Never mind, I'm sorry, William, to throw you off with your rhythm, and Mr. Bradbury. But let's pick up.

BY MR. ELLENBERG:

Q. I apologize.

Mr. Bradbury, you do acknowledge that AT&T serves mass market customers in Florida today using its circuit switches, correct?

A. Yes and no. AT&T serves very small businesses from its switches today, which is a portion of the mass market. We do not serve residents and therefore we don't serve the entire mass market.

Q. Thanks for that clarification.

Now, we discussed this earlier with Staff. But AT&T once had an active business plan to serve small businesses using the DSO, UNE loops, collocation, and AT&T's own local circuit switches, correct?

A. Correct.

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TAB 7

BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In Re:	)	
	)	
FCC's Triennial Review Order	)	Docket No. 17749-U
Regarding the Impairment of Local	)	
Switching for Mass Market	)	
Customers	)	

AFFIDAVIT OF WANDA MONTANO

Personally appeared before the undersigned officer, duly authorized by law to administer oaths, WANDA MONTANO, who, upon being duly sworn, deposes and says as follows:

1. I am Vice President, Regulatory & Industry Affairs for US LEC Corp. ("US LEC"). US LEC is a telecommunications carrier providing voice, data and Internet services to business customers throughout the southeastern and mid-Atlantic United States. US LEC was founded in 1996 and is headquartered in Charlotte, North Carolina. US LEC is a certificated telecommunications carrier in the State of Georgia.

2. US LEC's network is composed of advanced digital switches from Lucent that are designed to support many innovative services. By owning and operating our own network, US LEC invests time, money, and resources into the produces and services we deliver to our customers. The quality and reliability of our network translates into improved operations and cost-effective services for our customers.

3. US LEC has two switches located in Georgia. These switches serve US LEC's customers located in various exchanges throughout the State, including Atlanta, Valdosta, Columbus, and Savannah, among others.

4. US LEC actively markets to medium and large business customers that demand a wide range of telecommunications and data services and solutions. Of the business customers served by US LEC's switches in Georgia, all are served with DS1 or above (or similar broadband) facilities. However, US LEC customizes our offerings to meet our customer's present needs as the well as to provide our customers with the capacity to expand and add features as they grow.

5. For example, US LEC's ADVANTAGE Power T service provides customers with up to 24 channels of highly flexible, high capacity bandwidth. Depending upon the customer's needs, the customer can bundle on individual 64 Kbps channels, not to exceed 1.54 Mbps, any of the following services: local, long distance, inbound, outbound, toll-digital private line, and US LECnet (dedicated high-speed Internet access). ADVANTAGE Power T service also gives the customer the option to purchase analog line terminations, although additional charges apply.

6. In Georgia most of US LEC's business customers have more than 13 voice-grade lines. However, US LEC currently serves business customers with as few as 4 voice-grade lines. While it is technically possible for US LEC to serve business customers with one, two, or three voice-grade lines, these customers

are not the focus of US LEC's business plan, and it is unlikely that these small business customers would find US LEC's service economical. If US LEC's business plan were to change, however, and if US LEC decided to market service to small business customers, it could do so with its own switches.

7. US LEC's switches are interconnected to the switches of other local exchange service providers (such as BellSouth) as well as the networks of interexchange carriers by a network of trunks providing the necessary capabilities for handling a variety of customer services. The interconnections enable single and multiple voice and data transmissions between networks and offer connectivity flexibility so that our customers can customize specific traffic patterns based on their needs.

8. Because US LEC's customers in Georgia are geographically dispersed, US LEC may use "backhaul" facilities to transport traffic from a customer to the serving switch. Long-haul transport facilities, for example, are used for backhauling loops to US LEC's switches as well as for transporting both local and interexchange traffic as well as data from our customers throughout the State. US LEC's business plan does not currently support self-provisioning its own transport facilities. Instead, US LEC purchases transport from BellSouth's special access tariffs on a term basis or from a host of Competitive Access Providers ("CAPs") and IXCs. In limited circumstances, US LEC leases unbundled network element loops ("UNE-L") and Enhanced Extended Loops ("EELs") to provide service to its customers.

9. US LEC can economically serve its targeted business customers in Georgia using its own switches, notwithstanding the costs of backhauling. US LEC has considered the combined economic effect of situating switches and loop and transport costs to serve its target customer market and designed its network in Georgia accordingly. This network allows US LEC to provide its target business customers with competitive, reliable local phone service in Georgia.

I certify that the foregoing statements are true and correct to the best of my knowledge.

Wanda Montano

Sworn and subscribed this 12th
day of February 2004 before
Notary Public

My commission expires: My Commission Expires March 3, 2004

BELLSOUTH APPENDIX

TAB 8

Arnall Golden Gregory LLP

Direct phone: 404-873-8536
Direct fax: 404-873-8537
E-mail: Anne.Gerry@agg.com
www.agg.com

February 19, 2004

Mr. Reece McAlister
Executive Secretary
Georgia Public Service Commission
244 Washington Street, First Floor
Atlanta, Georgia 30334

Re: FCC's Triennial Review Order Regarding the Impairment of Local Switching for Mass Market Customers; Docket No. 17749-U

Dear Mr. McAlister:

Enclosed are the original and two (2) copies of the Supplemental Affidavit of Felix L. Boccucci, Jr. Also enclosed is a 3.5" diskette containing the document.

If you have any questions or comments, please do not hesitate to call.

Very truly yours,

Anne F. Gerry

AFG:pm

Enclosures

cc: Donald I. Hackney, Jr. Esq.
Mr. Felix Boccucci
Chad Wachter, Esq.
Parties of Record

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION

In Re: Federal Communications Commission's Order Regarding The Impairment of Local Switching For Mass Market Customers	))))	**Docket No.: 17749-U**

SUPPLEMENTAL AFFIDAVIT OF FELIX L. BOCCUCCI, JR.

PERSONALLY APPEARED before the undersigned officer, duly authorized by law to administer oaths, FELIX L. BOCCUCCI, JR. who, upon being duly sworn, deposes and says as follows:

1.

I am over 18 years of age and am competent to give the testimony contained herein.

2.

I am the Vice President for Knology of Georgia ("Knology"). I have been employed by Knology and its predecessors since October 1, 1994 and am familiar with the operations of Knology.

3.

Knology provides local telephony in each of the areas identified in paragraph 5 of the Affidavit of Felix L. Boccucci, Jr., filed with this Commission and dated January 29, 2003, using a single switch located in West Point, Georgia and belonging to Interstate Telephone Company. This switch is interconnected with the switches of other local exchange

service providers (such as BellSouth) as well as the networks of interexchange carriers by a network of trunks providing the necessary capabilities for handling a variety of customer services. The interconnections enable single and multiple voice and data transmissions between networks.

4.

Because Knology's customers in Georgia are geographically dispersed, Knology uses "backhaul" facilities to transport traffic from a customer to the serving switch. Long-haul transport facilities, for example, are used for backhauling loops to Knology's switches as well as for transporting both local and interexchange traffic as well as data from our customers throughout the State. In cases when Knology elects not to self-provide its own transport facilities, Knology uses facilities provided by BellSouth as well as by a host of Competitive Access Providers ("CAPs") and IXCs.

5.

Knology can economically serve its customers in Georgia without access to unbundled switching from BellSouth, notwithstanding the costs of backhauling. Knology has considered the combined economic effect of situating switches and loop and trunking costs and designed its network in Georgia accordingly. This network allows Knology to provide its customers with competitive, reliable local phone service in Georgia.

I certify that the foregoing statements are true and correct to the best of my knowledge.

Felix L. Boccucci, Jr.

Sworn and Subscribed this 18th day of February, 2004 before

Notary Public

My commission expires: MY COMMISSION EXPIRES JUNE 10, 2005.

1723399v1

CERTIFICATE OF SERVICE

I certify that I have this day served a true and exact copy of the foregoing Supplemental Affidavit of Felix L. Boccucci, Jr. by first-class United States Mail, postage paid and properly addressed to the following:

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Consumers' Utility Counsel Division
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Kristy.holley@cuc.oca.state.ga.us

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Nanette S. Edwards, Esquire
Regulatory Attorney
ITC^DeltaCom
4092 South Memorial Parkway
Huntsville, AL 35802

This 19th day of February, 2004.

Anne F. Gerry
Arnall Golden Gregory LLP

1201 West Peachtree Street
Suite 2800, One Atlantic Center
Atlanta, Georgia 30309
(404) 873-8536

1730966v1

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION

In Re: Federal Communications Commission's Order Regarding The Impairment of Local Switching For Mass Market Customers	))))	**Docket No.: 17749-U**

AFFIDAVIT OF FELIX L. BOCCUCCI, JR.

PERSONALLY APPEARED before the undersigned officer, duly authorized by law to administer oaths, FELIX L. BOCCUCCI, JR. who, upon being duly sworn, deposes and says as follows:

1.

I am over 18 years of age and am competent to give the testimony contained herein.

2.

I am the Vice President for Knology of Georgia ("Knology"). I am giving this Affidavit in lieu of Knology's filing of other responses to BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories and Requests for Production of Documents to Knology in the above-referenced docket.

3.

I have been employed by Knology and its predecessors since October 1, 1994 and am familiar with the operations of Knology.

4.

Knology is a certificated local exchange carrier in the State of Georgia.

5.

Knology has received franchises from local franchising authorities to offer its services in Augusta-Richmond County, Columbia County, Columbus/Muskogee County and Harris County (each, a "Franchise Area").

6.

Knology provides local telephony within each Franchise Area.

7.

Knology obtains switching from Interstate Telephone Company, an affiliate of Knology.

8.

Knology provides telephony services to at least 100 people in each of BellSouth's wire centers in the Augusta, Georgia LATA designated as follows: AGSTGAAU, AGSTGATH, AGSTGAMT, AGSTGAFL.

9.

Knology provides telephony services to at least 100 people in each of BellSouth's wire centers in the Columbus, Georgia LATA designated as follows: CLMBGAMT, CLMBGABV and CLMBGANW.

10.

Knology markets its services predominantly to the residential marketplace.

11.

Knology provides its services predominantly to mass market customers. For purposes of this statement, I am defining "mass market customers" as customers having fewer than 3 lines.

12.

Knology has provided local telephony in Augusta, Georgia since 1998 and in Columbus, Georgia since 1998.

13.

The switched-based telephone service offered by Knology is comparable in quality to telephone service offered by BellSouth in Georgia.

I certify that the foregoing statements are true and correct to the best of my knowledge.

Felix L. Boccucci, Jr.

Sworn and Subscribed this 27th day of January, 2004 before

Notary Public

My commission expires: MY COMMISSION EXPIRES JUNE 10, 2005.

1712844v1

BELLSOUTH APPENDIX

TAB 9

BEFORE THE

GEORGIA PUBLIC SERVICE COMMISSION

In Re:	)	
	)	
FCC's Triennial Review Order Regarding the Impairment of Local Switching for Mass Market Customers	)	**Docket No. 17749-U**

DIRECT TESTIMONY

OF

Dr. Brian K. Staihr

on behalf of

Sprint Communications Company L.P.

December 23, 2003

A. The Commission must look for evidence of *current* activities regarding the mass market: current marketing efforts, current advertising campaigns, current (or recent) additions of new customers, and/or recent conversion of UNE-P customers to UNE-L.

Q. At this point could you please summarize the criteria contained in the TRO that CLECs must meet before competitive triggers are satisfied?

A. First, there is a difference between enterprise switches and mass market switches, and enterprise switches do not count toward meeting the triggers. Any CLEC switch in which the vast majority of the utilized capacity is dedicated to serving enterprise customers is an enterprise switch and cannot be included in a trigger analysis.

Second, the CLEC switches must be serving a *non- de minimus* number of mass market customers in the market. This goes hand in hand with the criterion above.

Third, the CLEC must be serving, or holding itself out to serve, or capable of serving *throughout* the market, not just in highly-select portions of the market. If a CLEC is not serving a "substantial portion" of the market, then it is simply cherry-picking. And cherry-picking is not evidence of "the technical and economic feasibility of an entrant serving the mass market with its own switch" as stated in the TRO.

Fourth, the CLEC must be actively serving the mass market customers and likely to continue to do so. The CLEC cannot simply be serving the residuals of failed

business plans or by-products of serving the enterprise market. The Commission must find evidence of current activity—marketing efforts, customer additions—to know that the CLEC is *actively* serving and likely to continue.

WHOLESALE TRIGGERS

Q. Are there different criteria to be applied when analyzing impairment based on actual deployment in the case of wholesale local switching?

A. Yes. It is also crucial that the Commission understand that the identification process for wholesale local switching is no mere "counting exercise."

For example, before any wholesale provider can be counted toward meeting the trigger, the TRO states that it must be "operationally ready and willing to provide wholesale service to all competitive providers in the designated market."[18] Because the FCC specifically chose the words "all competitive providers" as opposed to "any" or "some" competitive providers, the situation is created where the *capacity* of the wholesale provider will be a critical issue and must be carefully considered before the provider can be counted toward meeting a trigger.[19]

In addition, the TRO requires that wholesale provider must actively be providing voice service "used to serve the mass market." Therefore, a wholesale provider would not (and does not) meet the trigger if the voice service it provides is used primarily to serve the enterprise market.

[18] TRO paragraph 499 as amended by September 17th Errata.

[19] We are assured that the choice of the words "all competitive providers" was a conscious decision on the part of the FCC because the same Errata that eliminated the need for self-provisioning triggers to be capable of serving "every" customer could have easily eliminated the need for wholesale providers to be operationally ready to serve "all" competitive providers, and it did not.

BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In re: FCC's Triennial Review Order Regarding the Impairment of Local Switching for Mass Market Customers	))))	**Docket No. 17749-U** **Filed: December 23, 2003**

DIRECT TESTIMONY AND EXHIBITS OF JOSEPH GILLAN ON BEHALF OF COMPSOUTH

Table of Contents

* The self-provisioning trigger candidate's switches must be "mass market," not "enterprise" switches.

* The self-provisioning trigger candidate must be actively providing voice service to mass market customers in the designated market, including residential customers, and is likely to continue to do so.

* The self-provisioning trigger candidate should provide services exhibiting a ubiquity comparable to UNE-P within the area chosen for the analysis.

* The self-provisioning trigger candidate should be relying on ILEC analog loops to connect the customer to its switch or, if a claimed "intermodal" alternative, its service must be comparable to the ILEC service in cost, quality, and maturity.

* The self-provisioning trigger candidate may not be affiliated with the ILEC or other self-provisioning trigger candidates.

* The existence of the self-provisioning trigger candidate should be evidence of sustainable and broad-scale mass market competitive alternatives in the designated market.

Only if each of these trigger criteria is met does a candidate qualify as one of the three self-provisioning providers necessary to satisfy the FCC's self-provisioning trigger.

Criterion 1: Enterprise Switches Do Not Qualify as Triggers

Q. You identify the first criterion as requiring that the self-provisioning trigger candidate's switches must be "mass market" switches rather than "enterprise" switches. Please describe the FCC's discussion of this criterion in the TRO.

A. The analytical importance of the distinction between the "mass market" and "enterprise market" pervades the TRO. The FCC found that, even based on the limited record before it, there was a clear distinction between the mass market and the enterprise market, both in terms of customer profile and the state of CLEC switch deployment.

I have already explained the difference between mass market and enterprise customers. Similarly, the FCC found that CLEC switch deployment is significantly different in the mass market and the enterprise market: "[W]e find that the record demonstrates significant nationwide deployment of switches by

BELLSOUTH APPENDIX

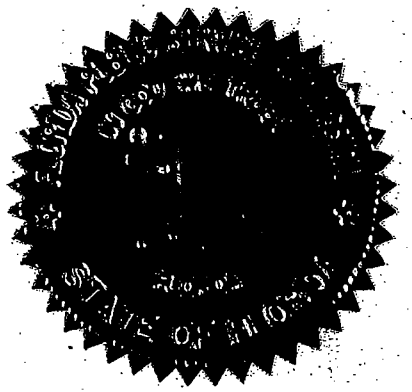
TAB 10

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 030851-TP

In the Matter of

IMPLEMENTATION OF REQUIREMENTS ARISING FROM FEDERAL COMMUNICATIONS COMMISSION'S TRIENNIAL UNE REVIEW: LOCAL CIRCUIT SWITCHING FOR MASS MARKET CUSTOMERS.



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DEPOSITION OF: MICHAEL P. GALLAGHER

TAKEN AT THE INSTANCE OF: The Staff of the Florida Public Service Commission

PLACE: Gerald L. Gunter Building
Room 309
2540 Shumard Oak Boulevard
Tallahassee, Florida

TIME: Commenced at 2:10 p.m.
Concluded at 4:50 p.m.

DATE: Wednesday, February 11, 2004

REPORTED BY: JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and Administrative Services
(850) 413-6732

FLORIDA PUBLIC SERVICE COMMISSION

A Oh, yes. Uh-huh.

Q Now, has FDN filed a notice to terminate service in any market which they are currently serving in Florida?

A I don't believe that we have.

Q And, in your opinion, is FDN likely to continue providing service in Florida?

A Yes, we are.

Q Could you please refer to your prefiled rebuttal testimony Page 3, Lines 7 through 10?

A Okay.

Q It's your testimony that switching has been and still is readily available to anyone willing to purchase a Class 5 type device, correct?

A That is correct.

Q Are any of the mass market customers that you serve in the areas deemed not impaired by an ILEC served by Class 5 switches?

MR. FEIL: Objection, clarification again. Are you referring to trigger areas, or potential deployment areas, or both?

MR. TEITZMAN: For this we will go with trigger areas.

THE WITNESS: Almost all of those customers are served by Class 5 switches.

BY MR. TEITZMAN:

entire thing, I would welcome you to, but at the bottom of Page 322 there in Paragraph 508, do you see a sentence that begins, "Although," and then carries over?

A Yes.

Q Okay. And it reads, "Although switches serving the enterprise market do not qualify for the triggers described above." Now, this admonition from the FCC in Paragraph 508, as well as the language we read in Paragraph 441 just a moment ago, do you find that persuasive that the FCC did not believe that enterprise switches should be counted in the trigger analysis?

A It appears to read that way.

Q Okay. And if you are not going to count enterprise switches in an analysis, does it stand to reason that the Commission will need to make a distinction between switches that are enterprise switches versus mass market switches?

A No, I don't believe so, because I see competitive switches out in the market that serve enterprise customers that also do serve what you are calling mass market. So in our state, you know, we may be different than what the FCC is, you know, thinking of here.

Q Okay. But you would agree with me that the state commission in Florida needs to conduct the analysis that the FCC asked it to conduct, don't they?

A I think they need to do the hard trigger test

BELLSOUTH APPENDIX

TAB 11

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising from Federal Communications Commission triennial UNE review: Local Circuit Switching for Mass Market Customers.

Docket No. 030851-TP

_____/

THE DEPOSITION OF:	JAMES R.J. SCHELTEMA
DATE:	Tuesday, November 4, 2003
TIME:	Commenced: 11:55 a.m. Concluded: 12:40 p.m.
LOCATION:	313 North Monroe Street Suite 2 Tallahassee, Florida
REPORTED BY:	CHRISTINE WHEELER, Court Reporter and Notary Public in and for State of Florida at Large

ACCURATE STENOTYPE REPORTERS, INC.
2894-A Remington Green Lane
Tallahassee, Florida 32308
(850) 878-2221

Florida 32501.

Q Mr. Scheltema, have you had an opportunity to review the subpoena for deposition that has been dated October 27th, 2003 issued by the Florida Public Service Commission?

A Yes, I have.

Q And have you had an opportunity to review the attachment that has approximately 14 questions that has listed matters upon which examination is requested?

A I have reviewed the revised attachment.

Q And are you familiar generally with the subject matter that -- the subject matter of the subpoena and the attachment?

A Generally, but it remains to be seen.

Q All right. I would like to ask you if you could please to provide -- to identify every switch that is owned by Global NAPS in the state of Florida.

A We have a single switch and the switch serves the entire state. In Southern Florida we have a designation of a silly code as IMAMFLKY1MD. For Northern Florida we use a separate silly code off the same switching equipment which is IMAMFLKY01, T, as in Tom.

Q And the -- you have one switch and you have given us the silly designations that identify the parts of Florida; is that correct?

A Yes.
Q Do you use the one switch that you have identified to provide service to any other companies?
A Do we use it to provide service to any other companies?
Q Yes.
A We can wholesale service to other IXCs and calling card providers.
Q You said you can wholesale. Do you wholesale?
A I think we do a very small amount of traffic currently non-voice.
Q You do not wholesale any voice service on the switch?
A No voice --
Q Right.
A -- at this point.
Q Do you use the switch to provide voice service to Global NAPS' customers?
A No, we do not.
Q What do you use the switch for?
A Information access traffic.
Q And what is information access traffic?
A It is defined in the ISP remand order, information access traffic is essentially inbound ISP or outbound ISP traffic, ISP being your Internet service

provider.

Q So is it fair to say that you use the switch for data traffic?

A Yes.

Q Do you use the switch for any voice-over IP?

A Not in Florida currently.

Q Do you have any plans to use the switch for any voice-over IP?

A Do we have any plans? Let's see. We don't have any marketing plans as of now. We have debated doing this and we are currently providing these kinds of services in some Verizon territories.

Q Let me make sure I understood your last answer. The switch that you have in Florida you are currently doing voice-over IP in some Verizon territory; is that what you said?

A We have similar switches in other locations. We are providing voice-over IP in some of Verizon's service territories. But to my knowledge, we do not provide any voice-over IP in Florida currently.

Q Okay. With respect to the wholesale service that you provide on the switch, is that wholesale service also data service?

A Yes.

Q Do you -- and do you know if any of the

wholesale data service includes voice-over IP?

A No, I do not.

Q Does the switch have the capability to provide voice service?

A Well, a packet is a packet. So when you ship a data packet and it's voice-over IP it could be anything. So I really can't tell you. But, yes, virtually any switch has the capability of doing that.

Q And the type of switch that you have identified in Florida is a packet switch?

A Yes.

Q And you said this switch has the capability of serving the entire state of Florida?

A Well, any switch can serve any location in the entire world depending upon how you utilize transport.

Q So that is a yes?

A Yes.

Q Where does the -- where generally is the data traffic located now? In other words, what is the actual serving area of the switch now?

A That is hard to define because information access traffic does not work or is not defined on location. It's not location-specific. The FCC has removed all references to local traffic for that reason. That is why it is termed interstate in nature.

I can tell you that the dial-up traffic to the switch is typically coming from within Florida locations. But where it goes from there, I mean, it goes out over a port to an Internet service provider and it could go to Cairo, Illinois or Cairo, Egypt.

Q Okay. I understand. Do you know generally for the incoming traffic where the people who are calling in are located?

A Yes.

Q Where?

A Can you repeat that? Did you just ask me where?

Q I just said where. You said you knew where. Now, I'm asking you where specifically.

A Typically, these are within the local calling area because what we do is we locate areas of higher concentration populations, and we put a POP in that area and then transport it over optic fiber to the switch.

Q So these would be you would have a South Florida local calling area and a North Florida local calling area?

A Well, we haven't defined the calling areas like that yet, but we have the potential to do so.

Q What have you defined the calling areas now?

A Right now I believe that we use the defined calling areas of BellSouth and/or the other providers which we will serve. For instance, ALLTEL in Florida or

meet, and then we would purchase transport from BellSouth typically usually at a DS3 level to get to their tandem.

To get from our collocation to our switch, which I think you also alluded to, we basically just ride a fiber which is not leased from BellSouth. It's either self-provisioned or leased from another carrier.

Q Are any of your collocations used for EELs or for special access?

A No, not for EELS, because we do not provide residential or business dial tone. Special access? I don't think so. Not to my knowledge, information and belief. How do you like that?

Q That is fine. Is it correct that you have already stated that your company does not provide service to residential customers?

A That is correct.

Q Nor does your company provide service to small business customers?

A That is incorrect.

Q Okay.

A We can provide web hosting and other services to a business customer. We don't provide it to residential customers. We don't give dial tone, but we can provide a multitude of other services. I mean, for instance, I alluded earlier and said we provide collocation to

customers so that the ISP is essentially on our site and we lease the port to them.

Q Okay.

A So it depends on the business, but it is not traditional telephony services.

Q Is there a particular reason why your company has decided not to provide voice services to say residential and/or small business customers?

A Well, I don't think that I can speak for my company on that behalf. But I can tell you that when you make the decision and determination to provide voice services you get into a lot of complications, one of which is more regulation, another is increased competition.

And, of course, you have all sorts of economic evaluations that need to be made. When you are starting out with a minimum amount of capital and trying to expand, you want to concentrate that capital on something that you do best. So we have remained a niche player.

If you were to come across an opportunity where we could blossom tomorrow, then I am sure that they would be willing to discuss it.

But at this point I don't think that voice telephony using, you know, your regular five ESS switches is something that we are going to get into.

Q Thank you.

BELLSOUTH APPENDIX

TAB 12

BEFORE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION

DIRECT TESTIMONY OF GREGORY R. FOLLENSBEE

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.

DOCKET 2000-527-C

DECEMBER 7, 2000

A. Yes, it has. In the Local Competition Order, the FCC stated:

> We find that the "additional costs" incurred by a LEC when transporting and terminating a call that originated on a competing carrier's network are likely to vary depending on whether tandem switching is involved. We, therefore, conclude that states may establish transport and termination rates in the arbitration process that vary according to whether the traffic is routed through a tandem switch or directly to the end-office switch. In such event, states shall also consider whether new technologies (*e.g.*, fiber ring or wireless networks) perform functions similar to those performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.[14]

Q. DO AT&T'S SWITCHES IN SOUTH CAROLINA COVER A GEOGRAPHIC AREA COMPARABLE TO THE AREA COVERED BY BELLSOUTH SWITCHES?

A. Yes. AT&T offers local exchange service in South Carolina via 4ESS switches, which function primarily as long distance switches, and 5ESS switches, which act as adjuncts to the 4ESS switches. AT&T has the ability to connect virtually any qualifying local exchange customer in South Carolina to one of these switches through AT&T's dedicated access services. AT&T requests that the Commission order BellSouth to pay AT&T BellSouth's tandem interconnection rate for the termination of local traffic at

---

[14] FCC Local Competition Order at ¶ 1090 (emphasis added).

BEFORE THE

NORTH CAROLINA UTILITIES COMMISSION

PREFILED DIRECT TESTIMONY OF

DAVID L. TALBOTT

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.

AND TCG OF THE CAROLINAS, INC.

DOCKET NO. _____

APRIL 27, 2000

AT&T switch and any TCG switch. AT&T is justified in its request because the geographic area covered by each switch is comparable to the area covered by BellSouth's tandem switches.

AT&T offers local exchange service in North Carolina via 4ESS switches, which function primarily as long distance switches, and 5ESS switches, which act as adjuncts to the 4ESS switches. AT&T has the ability to connect virtually any qualifying local exchange customer in North Carolina to one of these switches through dedicated access services that AT&T obtains from BellSouth or another competitive access provider, or through other dedicated facilities (including combinations of UNEs purchased from BellSouth). Attachment 8 shows the number of switches ATTC currently operates in North Carolina on a LATA by LATA basis and in addition, provides comparative data on the number of BellSouth End Office Switches, BellSouth Tandem Switches and TCG Switches serving those same LATAs. *See* Attachment 8 (which was prepared by me or under my direction).

TCG provides local exchange services[4] using Class 5 switches. TCG is able to connect virtually any customer in a LATA to the TCG switch serving that LATA either through (1) TCG's own facilities built to the customer premises, (2) UNE loop provisioning through collocation in BellSouth end offices, or (3) using

[4] These services would also include the residential service that is provided over hybrid-fiber coax plant provided by AT&T affiliated cable systems.

dedicated high-capacity facilities (in special access services or combinations of UNEs purchased from BellSouth). Attachment 8 shows the number of switches TCG currently operates or plans to operate in North Carolina on a LATA by LATA basis and in addition, provides comparative data on the number of BellSouth End Office Switches, BellSouth Tandem Switches, and ATTC Switches serving those same LATAs.

Attachments 9, 10, and 11 to my testimony (which were prepared by me or under my direction) are state-wide maps that depict the geographic area served by each BellSouth tandem as compared to each AT&T Communications switch and each TCG switch. Attachments 12 through 32 to my testimony (which were prepared by me or under my direction) are maps that depict the geographic area served by each BellSouth tandem as compared to each AT&T Communications switch and each TCG switch LATA by LATA. These maps show that the AT&T Communications and TCG switches each cover the same or greater geographic areas than the corresponding BellSouth tandems.

Q. WHAT ABOUT THE FUNCTIONALITY OF THE SWITCHES?

A. The FCC rules ignore tandem functionality as a factor for purposes of determining whether a CLP meets the requirements under 47 C.F.R. § 51.711(a)(3). However, each AT&T and TCG switch performs certain tandem functions for the respective AT&T entity. First, each of these switches act as an access tandem routing the

BEFORE THE
NORTH CAROLINA UTILITIES COMMISSION

In Re: Petition by MCI for Arbitration of Certain Terms and Conditions of Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996	}	DOCKET NO. P-474, SUB 10

REBUTTAL TESTIMONY OF DON PRICE

ON BEHALF OF

MCIMETRO ACCESS TRANSMISSION SERVICES, LLC

DOCKET NO. P-474, SUB 10

May 16, 2000

As noted in Mr. Ball's Direct Testimony, MCIm's switch in Cary serves a geographic area comparable to the BellSouth local tandem. In fact, MCIm has customers originating traffic in the Cary, Research Triangle, Chapel Hill, Durham, Fuquay - Varina, Knightdale, Raleigh, and Wake Forest rate centers, which include a significant portion of the MCIm service area. Also, Mr. Varner, at page 74 of his testimony, concludes that a reference to MCIm's forty-five miles of owned fiber (as found in Mr. Martinez's testimony giving a general description of the MCIm network) is proof that MCIm's network does not serve a comparable geographic area as Bell South's tandem. Mr. Varner seems to believe that all of MCIm's customers are served by MCIm's fiber network. This is incorrect. Fewer than 10% of MCIm's customers are provided local service on MCIm's fiber. The vast majority of local customers are served via alternative leased facilities which connect customer locations to the MCIm local switch. Accordingly, the geographic scope of the MCIm network extends beyond the reach of the physical fiber. As provided in the Direct Testimony, the geographic scope of the MCIm network covers fourteen rate centers; of these, seven are Bell South service areas. Where MCIm utilizes a single switch and an owned / leased transport network to serve these seven rate centers, BellSouth utilizes a tandem and sixteen end offices. MCIm would ask the Commission to take administrative note of the service area descriptions contained in its N.C.U.C. Price List No. 4, Section 3.1 at pages 51 through 53.1, which specify MCIm's local service area and local calling areas. Additionally, MCIm's switch, located in Morrisville, NC, is a Nortel DMS 100 that is equipped with a capacity of 48,192 DS0s.

As noted in that Direct Testimony and above, the MCIm switch serves an area made up of rate centers served by ILECs other than BellSouth, in addition to the BellSouth rate centers. It is reasonable and appropriate for the Commission to conclude that the area served by the MCIm switch meets the test set out in FCC rule 51.711, as this Commission has interpreted that rule in its ICG and ITC^DeltaCom arbitration decisions.

Q. AT PAGE 80 OF HIS TESTIMONY MR. VARNER STATES THAT MCIM'S PROPOSED LANGUAGE FOR §10.4.2.2 IS "CONTRARY TO THE RATE STRUCTURE" PREVIOUSLY APPROVED BY THIS COMMISSION. DO YOU AGREE WITH MR. VARNER'S CONCLUSION?

A. No, I do not. MCIm's proposal is, in fact, based on the Commission's adopted rates. The purpose of my proposal in this regard was one of administrative simplicity. MCIm and BellSouth should be able to agree on a figure which represents the "average mileage of all End Offices subtending the applicable BellSouth Tandem Office." Once such agreement is reached, both MCIm and BellSouth would simply need to apply that one rate to all relevant traffic, rather than having to collect information on every minute of traffic so as to be able to rate every minute at the mileage value corresponding to that particular end office. Such administrative ease should not be objectionable to BellSouth, as it simplifies its billing (and auditing of bills) as much, if not more, than for MCIm.

ISSUE 86

What are the applicable OSS charges when electronic interfaces

BEFORE THE

GEORGIA PUBLIC SERVICE COMMISSION

In the Matter of the Interconnection Agreement Negotiations Between AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., TELEPORT COMMUNICATIONS ATLANTA, INC. and BELLSOUTH TELECOMMUNICATIONS, INC., Pursuant to 47 U.S.C. § 252	)	**Docket No. 11853-U** **PETITION BY AT&T AND TCG FOR ARBITRATION UNDER THE TELECOMMUNICATIONS ACT OF 1996**

DIRECT TESTIMONY OF DAVID L. TALBOTT ON BEHALF OF AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. and TELEPORT COMMUNICATIONS ATLANTA, INC.

Susan Ockleberry
Attorney for
AT&T Communications
of the Southern States, Inc.
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Communications Atlanta,
Inc.

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appropriate rate for the carrier other than an incumbent LEC is the incumbent LEC's tandem interconnection rate." 47 C.F.R. § 51.711(a)(3).

Q. HAS THE FCC PROVIDED ANY ADDITIONAL GUIDANCE REGARDING THE ESTABLISHMENT OF TRANSPORT AND TERMINATION RATES?

A. Yes, it has. In paragraph 1090 of the Local Competition Order, the FCC stated:

> We find that the "additional costs" incurred by a LEC when transporting and terminating a call that originated on a competing carrier's network are likely to vary depending on whether tandem switching is involved. We, therefore, conclude that states may establish transport and termination rates in the arbitration process that vary according to whether the traffic is routed through a tandem switch or directly to the end-office switch. In such event, states shall also consider whether new technologies (*e.g.*, fiber ring or wireless networks) perform functions similar to those performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.

First Report and Order, Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96-98, 11 FCC Rcd 15499, 16042 (rel. August 8, 1996) (emphasis added).

Q. DO AT&T'S SWITCHES IN GEORGIA COVER A GEOGRAPHIC AREA COMPARABLE TO THE AREA COVERED BY BELLSOUTH SWITCHES?

A. Yes. AT&T offers local exchange service in Georgia via 4ESS switches, which function primarily as long distance switches, and 5ESS switches, which act as

adjuncts to the 4ESS switches. AT&T has the ability to connect virtually any qualifying local exchange customer in Georgia to one of these switches through AT&T's dedicated access services.

TCG provides local exchange services using Class 5 switches. TCG is able to connect virtually any customer in a LATA to the TCG switch serving that LATA either through (1) TCG's own facilities built to the customer premises, (2) UNE loops provisioned through collocation in BellSouth end offices, or (3) using dedicated high-capacity facilities (in special access services or combinations of UNEs purchased from BellSouth).[6]

AT&T requests that the Commission order BellSouth to pay AT&T BellSouth's tandem interconnection rate for the termination of local traffic at any AT&T Communications switch and any TCG switch. AT&T is justified in its request because the geographic area covered by each switch is comparable to the area covered by BellSouth's tandem switches.

6 AT&T Communications and TCG are separate legal entities, are separately certified in Georgia, and should be treated as separate entities under the completed agreements. Moreover, their local service networks provide entirely distinct services and products to distinct classes of customers and are not integrated in any way. Accordingly, each entity should be examined separately for purposes of determining whether that entity meets the requirements under 47 C.F.R. § 51.711 (3).

BEFORE THE

GEORGIA PUBLIC SERVICE COMMISSION

DOCKET NO. 11901-U

PREFILED REBUTTAL TESTIMONY
OF DON PRICE
ON BEHALF OF WORLDCOM, INC.

August 3, 2000

PULIBC DISCLOSURE VERSION

addition, WorldCom uses combinations of DS1 loops and transport leased from BellSouth to extend the reach of their network. In contrast, BellSouth's network, developed over many decades, employs an architecture characterized by a large number of switches within a hierarchical system with relatively short copper based subscriber loops.

Q. WHAT ARE THE GEOGRAPHIC AREAS AT ISSUE IN THIS CASE?

A. There is a single geographic area at issue. While BellSouth provides service area and tandem information for the Albany, Atlanta, Augusta, Macon, and Savannah LATAs, it is only the Atlanta market that is at issue. WorldCom is not providing local service via its own facilities in any of the other markets addressed by BellSouth.

Q. PLEASE DESCRIBE WORLDCOM'S LOCAL NETWORK IN THE ATLANTA AREA.

A. The WorldCom network consists of four switches, three of which are located in the Atlanta rate center and one of which is located in the Marietta rate center. These switches, combined with the transport network described below, provide local service in twenty-six rate centers in the Atlanta area. Exhibit 2 provides the Local Serving Area Map for the WorldCom local network. WorldCom is currently providing local service to customers located in all but 4 of these 26 rate centers. While WorldCom uses 4 local switches and a transport network to serve these rate centers, BellSouth utilizes 5 local tandems and a multitude of end offices to serve this area.

BEFORE THE ALABAMA PUBLIC SERVICE COMMISSION

DIRECT TESTIMONY OF RICHARD T. GUEPE

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, INC.

AND TCG MIDSOUTH

DOCKET NO. 27889

APRIL 16, 2001

for the carrier other than an incumbent LEC is the incumbent LEC's tandem interconnection rate.

Q. HAS THE FCC PROVIDED ANY ADDITIONAL GUIDANCE REGARDING THE ESTABLISHMENT OF TRANSPORT AND TERMINATION RATES?

A. Yes, it has. In the Local Competition Order, the FCC stated:

> We find that the "additional costs" incurred by a LEC when transporting and terminating a call that originated on a competing carrier's network are likely to vary depending on whether tandem switching is involved. We, therefore, conclude that states may establish transport and termination rates in the arbitration process that vary according to whether the traffic is routed through a tandem switch or directly to the end-office switch. In such event, states shall also consider whether new technologies (*e.g.*, fiber ring or wireless networks) perform functions similar to those performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.[17]

Q. DO AT&T'S SWITCHES IN ALABAMA COVER A GEOGRAPHIC AREA COMPARABLE TO THE AREA COVERED BY BELLSOUTH SWITCHES?

A. Yes. AT&T offers local exchange service in Alabama via 4ESS switches, which function primarily as long distance switches, and 5ESS switches.

AT&T has the ability to connect virtually any qualifying local exchange customer in Alabama to one of these switches through AT&T's dedicated access services.

AT&T requests that the Commission order BellSouth to pay AT&T BellSouth's tandem interconnection rate for the termination of local traffic at any AT&T switch. AT&T is justified in its request because the geographic area covered by each switch is comparable to the area covered by BellSouth's tandem switches.

Q. HAVE YOU PREPARED ANY MATERIALS THAT WILL ASSIST THE COMMISSION IN DETERMINING THE GEOGRAPHIC COVERAGE OF AT&T'S SWITCHES SERVING ALABAMA?

A. To assist the Commission in understanding this issue, I have prepared two maps that are marked as Exhibits RTG-6a, 6b and 6c. Exhibits RTG-6a, 6b and 6c contain both color transparency maps and color copies of the same maps. The transparent maps are supplied so that the reader can "overlay" the maps and compare the geographic area served by AT&T and TCG switches and BellSouth switches.

Exhibits RTG-6a[18] and 6b provide the number of switches AT&T and TCG currently operate in Alabama on a LATA by LATA basis. It is important to

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[17] FCC Local Competition Order at ¶ 1090 (emphasis added).

[18] On the AT&T maps, green shading depicts the areas covered by AT&T's switches.

BEFORE THE

TENNESSEE REGULATORY AUTHORITY

DIRECT TESTIMONY OF

GREGORY R. FOLLENSBEE

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, INC.

AND TCG MIDSOUTH, INC.

DOCKET NO. 00-00079

DECEMBER 20, 2000

☐ State Specific
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Other:

directly to the end-office switch. In such event, states shall also consider whether new technologies (*e.g.*, fiber ring or wireless networks) perform functions similar to those performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.[16]

Q. DO AT&T'S SWITCHES IN TENNESSEE COVER A GEOGRAPHIC AREA COMPARABLE TO THE AREA COVERED BY BELLSOUTH SWITCHES?

A. Yes. AT&T offers local exchange service in Tennessee via 4ESS switches, which function primarily as long distance switches, and 5ESS switches, which act as adjuncts to the 4ESS switches. AT&T has the ability to connect virtually any qualifying local exchange customer in Tennessee to one of these switches through AT&T's dedicated access services.

AT&T requests that the Authority order BellSouth to pay AT&T BellSouth's tandem interconnection rate for the termination of local traffic at any AT&T switch. AT&T is justified in its request because the geographic area covered by each of its switches is comparable to the area covered by BellSouth's tandem switches.

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[16] FCC Local Competition Order at ¶ 1090 (emphasis added).

BEFORE THE

TENNESSEE REGULATORY AUTHORITY

DOCKET NO. 00-00309-TP

PREFILED REBUTTAL TESTIMONY

OF DON PRICE

ON BEHALF OF WORLDCOM, INC.

December 13, 2000

incumbent LEC's tandem switch, the appropriate rate for the non-incumbent LEC is the incumbent LEC's tandem interconnection rate.

Q. PLEASE DESCRIBE DECISIONS IN WASHINGTON.

A. In the arbitration between Electric Lightwave, Inc. and GTE Northwest (Docket No. 980370), the arbitrator rejected an argument similar to the one being made by BellSouth here. (A copy is attached as Exhibit 5.) In his March 22, 1999 decision, the arbitrator at page 15 stated that "[t]he functional similarity between a CLEC switch and an incumbent LEC's tandem switch is not relevant where the evidence supports a finding that they serve a geographically comparable area."

Q. WHAT ARE THE GEOGRAPHIC AREAS AT ISSUE IN THIS CASE?

A. There are two geographic areas at issue -- Knoxville and Memphis.

Q. PLEASE DESCRIBE WORLDCOM'S LOCAL NETWORK IN THE KNOXVILLE AREA.

A. The WorldCom network consists of one switch. This switch, combined with the transport network described below, provides local service in two rate centers in the Knoxville area. Exhibit 6 provides the Local Serving Area Map for the WorldCom local network. WorldCom is currently providing local service to customers located in both of the rate centers in this area. While WorldCom uses one local switch and a transport network to serve these rate centers, BellSouth utilizes two local or access tandems and a multitude of end offices to serve this area.

****BEGIN PROPRIETARY****

To serve a geographic area of this scope the WorldCom switch is supported by a network fiber infrastructure that is approximately [redacted] miles in length. The backbone fiber routes contain in excess of [redacted] fiber miles. This transport network supports approximately [redacted] SONET systems, ranging in capacity from OC-1 to OC-48. In total, these systems represent transport capacity in excess of [redacted] DS3s.

This switching and transport network supports the provision of service from six collocation arrangements located in five BellSouth wire centers. There is also one local node served by this network. In addition, this network serves [redacted] on-net building sites in [redacted].

****END PROPRIETARY****

Q. PLEASE DESCRIBE WORLDCOM'S LOCAL NETWORK IN THE MEMPHIS AREA.

A. The WorldCom network consists of one switch which is configured and equipped to provide local service in three rate centers. WorldCom currently has customers in two of these rate centers. Exhibit Seven provides the Local Serving Area Map for the WorldCom local network. While WorldCom uses one local switch and dedicated transport network to serve these rate centers, BellSouth utilizes two local or access tandems and a multitude of end offices to serve this area.

****BEGIN PROPRIETARY****

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

DIRECT TESTIMONY OF

DAVID L. TALBOTT

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.
AND TCG SOUTH FLORIDA, INC.

DOCKET NO. 000731-TP

NOVEMBER 16, 2000

rates in the arbitration process that vary according to whether the traffic is routed through a tandem switch or directly to the end-office switch. In such event, states shall also consider whether new technologies (*e.g.*, fiber ring or wireless networks) perform functions similar to those performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.[10]

Q. DO AT&T'S SWITCHES IN FLORIDA COVER A GEOGRAPHIC AREA COMPARABLE TO THE AREA COVERED BY BELLSOUTH SWITCHES?

A. Yes. AT&T offers local exchange service in Florida via 4ESS switches, which function primarily as long distance switches, and 5ESS switches, which act as adjuncts to the 4ESS switches. AT&T has the ability to connect

[10] FCC Local Competition Order at ¶ 1090 (emphasis added).

virtually any qualifying local exchange customer in Florida to one of these switches through AT&T's dedicated access services.

TCG provides local exchange services using Class 5 switches. TCG is able to connect virtually any customer in a LATA to the TCG switch serving that LATA either through (1) TCG's own facilities built to the customer premises, (2) UNE loops provisioned through collocation in BellSouth end offices, or (3) using dedicated high-capacity facilities (in special access services or combinations of UNEs purchased from BellSouth).[11]

AT&T requests that the Commission order BellSouth to pay AT&T BellSouth's tandem interconnection rate for the termination of local traffic at any AT&T Communications switch and any TCG switch. AT&T is justified in its request because the geographic area covered by each switch is comparable to the area covered by BellSouth's tandem switches.

Q. HAVE YOU PREPARED ANY MATERIALS THAT WILL ASSIST THE COMMISSION IN DETERMINING THE GEOGRAPHIC COVERAGE OF AT&T'S AND TCG'S SWITCHES?

A. To assist the Commission in understanding this issue, I have prepared a series of maps that are marked as Exhibit DLT-6. Exhibit DLT-6 contains both

11 AT&T and TCG are separate legal entities, are separately certified in Florida, and should be treated as separate entities under the completed agreements. Moreover, their local service networks provide entirely distinct services and products to distinct classes of customers and are not integrated in any way. Accordingly, each entity should be examined separately for purposes of determining whether that entity meets the requirements under 47 C.F.R. § 51.711 (A)(3).

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 000649-TP

PREFILED REBUTTAL TESTIMONY

OF DON PRICE

ON BEHALF OF WORLDCOM, INC.

September 7, 2000

few years using optical fiber rings with SONET transmission, which makes it possible to access and serve a large geographic area from a single switch. In addition, WorldCom uses combinations of DS1 loops and transport leased from BellSouth to extend the reach of its network. In contrast, BellSouth's network, developed over many decades, employs an architecture characterized by a large number of switches within a hierarchical system with relatively short copper based subscriber loops.

Q. WHAT ARE THE GEOGRAPHIC AREAS AT ISSUE IN THIS CASE?

A. There are two geographic areas at issue -- South Florida (Miami/Ft. Lauderdale) and Orlando.

Q. PLEASE DESCRIBE WORLDCOM'S LOCAL NETWORK IN THE SOUTH FLORIDA AREA.

A. The WorldCom network consists of four switches, three of which are located in the Miami rate center and one of which is located in the Ft. Lauderdale rate center. These switches, combined with the transport network described below, provide local service in eleven rate centers in the South Florida area. Exhibit ___ (DP-2) provides the Local Serving Area Map for the WorldCom local network. WorldCom is currently providing local service to customers located in all but 1 of the 12 rate centers in this area. While WorldCom uses 4 local switches and a transport network to serve these rate centers, BellSouth utilizes 5 local or access tandems and a multitude of end offices to serve this area.

BEGIN PROPRIETARY

The total equipped capacity of the WorldCom switches in the South Florida area is in excess of _____ DS0s. WorldCom currently has customers in eleven rates centers and provides those customers with more than _____ local access circuits. Through the fiber network, these switches serve _____ on-net buildings in _____ cities. ____ collocation arrangements have been established in ___ BellSouth wire centers. These collocation arrangements are connected to the appropriate switches via SONET transport systems that ride WorldCom's fiber facilities, and additional SONET transport systems provide internodal transport between and among the local nodes and the switch.

END PROPRIETARY

Q. PLEASE DESCRIBE WORLDCOM'S LOCAL NETWORK IN THE ORLANDO AREA.

A. The WorldCom network consists of one switches which is configured and equipped to provide local service in fourteen rate centers. WorldCom currently has customers in nine of these rate centers. Exhibit ___ (DP-2) provides the Local Serving Area Map for the WorldCom local network. While WorldCom uses one local switch and a transport network to serve these rate centers, BellSouth utilizes 4 local or access tandems and a multitude of end offices to serve this area.

BEGIN PROPRIETARY

WorldCom's Orlando switch has a current equipped capacity of approximately _____ DS0s, and current provides customers with more than _____ local

BEFORE THE LOUISIANA PUBLIC SERVICE COMMISSION

DIRECT TESTIMONY OF GREGORY R. FOLLENSBEE

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, INC.

DOCKET NO. 25264

NOVEMBER 21, 2000

> performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.[10]

Q. DO AT&T'S SWITCHES IN LOUISIANA COVER A GEOGRAPHIC AREA COMPARABLE TO THE AREA COVERED BY BELLSOUTH SWITCHES?

A. Yes. AT&T offers local exchange service in Louisiana via 4ESS switches, which function primarily as long distance switches, and 5ESS switches, which act as adjuncts to the 4ESS switches. AT&T has the ability to connect virtually any qualifying local exchange customer in Louisiana to one of these switches through AT&T's dedicated access services.

AT&T requests that the Commission order BellSouth to pay AT&T BellSouth's tandem interconnection rate for the termination of local traffic at any AT&T switch. AT&T is justified in its request because the geographic area covered by each switch is comparable to the area covered by BellSouth's tandem switches.

[10] FCC Local Competition Order at ¶ 1090 (emphasis added).

BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

DIRECT TESTIMONY OF GREGORY R. FOLLENSBEE

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, INC.

AND TCG OHIO

DOCKET NO. 2000-465

FEBRUARY 6, 2001

Q. HAS THE FCC PROVIDED ANY ADDITIONAL GUIDANCE REGARDING THE ESTABLISHMENT OF TRANSPORT AND TERMINATION RATES?

A. Yes, it has. In the Local Competition Order, the FCC stated:

> We find that the "additional costs" incurred by a LEC when transporting and terminating a call that originated on a competing carrier's network are likely to vary depending on whether tandem switching is involved. We, therefore, conclude that states may establish transport and termination rates in the arbitration process that vary according to whether the traffic is routed through a tandem switch or directly to the end-office switch. In such event, states shall also consider whether new technologies (*e.g.*, fiber ring or wireless networks) perform functions similar to those performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.[34]

Q. DO AT&T'S SWITCHES IN KENTUCKY COVER A GEOGRAPHIC AREA COMPARABLE TO THE AREA COVERED BY BELLSOUTH SWITCHES?

A. Yes. AT&T offers local exchange service in Kentucky via 4ESS switches, which function primarily as long distance switches, and 5ESS switches, which act as adjuncts to the 4ESS switches. AT&T has the ability to connect

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[34] FCC Local Competition Order at ¶ 1090 (emphasis added).

virtually any qualifying local exchange customer in Kentucky to one of these switches through AT&T's dedicated access services.

AT&T requests that the Commission order BellSouth to pay AT&T BellSouth's tandem interconnection rate for the termination of local traffic at any AT&T switch. AT&T is justified in its request because the geographic area covered by each switch is comparable to the area covered by BellSouth's tandem switches.

Q. HAVE YOU PREPARED ANY MATERIALS THAT WILL ASSIST THE COMMISSION IN DETERMINING THE GEOGRAPHIC COVERAGE OF AT&T'S SWITCHES SERVING KENTUCKY?

A. To assist the Commission in understanding this issue, I have prepared two maps that are marked as Exhibits GRF-6a, 6b and 6c. Exhibits GRF-6a, 6b and 6c contain both color transparency maps and color copies of the same maps. The transparent maps are supplied so that the reader can "overlay" the maps and compare the geographic area served by AT&T and TCG switches and BellSouth switches.

Exhibits GRF-6a[35] and 6b provide the number of switches AT&T and TCG currently operate in Kentucky on a LATA by LATA basis. It is important to note that in some cases, the AT&T switch serving a LATA is not physically located in the LATA.

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[35] On the AT&T maps, green shading depicts the areas covered by AT&T's switches.